

REMARKS

The application has been amended and is believed to be in condition for allowance.

The recitations of original claims 3-5 have been incorporated into independent claim 1.

Claim 1 has also been amended responsive to the indefiniteness rejection. Withdrawal of the indefiniteness rejection is therefore solicited.

New claims 21-22 are added and find support in specification page 5, second paragraph, last three lines and line 4, respectively. New claim 23 finds support from the last paragraph of the specification.

Claims 1-6 and 8-18 stand rejected as obvious of SALMON et al. 4,280,600 or BITSCH et al. DE 2623622.

The rejection is extremely brief and does not indicate how and by what elements the references disclose the recited features of the invention. This makes it very difficult to respond to the rejection.

Claim 1 now recites that the piston comprises the conduit 27 (previously found in claim 4), the air volume 31 (previously found in claim 3) and the means for limiting the passage of fluid from the main chamber 13 toward the secondary chambers 15, 16. Of course, all dependent claims accordingly also comprise these features.

As neither of the references, taken either individually or in combination, teaches this combination of features, independent claim 1 as well as the claims depending therefrom are believed to be non-obvious and therefore patentable.

SALMON is not seen to disclose a conduit provided in the piston and open to each of the secondary chambers (from previous claim 4). SALMON is not seen to disclose that the damper further comprises at least one through-path provided in the cylinder in which is inserted the means for limiting the passage of fluid from the main chamber to the secondary chambers. Thus, this reference fails to teach both the directionality of possible fluid flow (mainly to the main chamber) and the avoidance of an extra external conduit. As to the arguments presented by the Official Action on page 3, paragraph 8, the new recitations make clear that, in contrast to SALMON, the present invention has flow into, not out of, the main chamber. Thus, the invention as recited has been additionally distinguished from SALMON.

Lastly, SALMON is not seen to disclose that one of the secondary chambers contains an air volume and is connected to the other secondary chambers such that the high viscosity fluid may circulate freely between the two secondary chambers.

Similarly, BITSCH does not teach these above-mentioned features of the invention. Indeed, there is not shown any means for limiting the passage of fluid from the main chamber 13 toward

the secondary chambers. Further, what is disclosed is a complex three-roll-mechanism comprising three traction rolls 9 and a piston which must be centered (Figure 1, Figure 2 and Figure 4). The reference does not seem to disclose any alternatives to this complex arrangement. In the last paragraph of page 5, the first sentence of the translation reads "For the concentric guidance of the piston 2 in the cylinder casing three guidance rolls 9 are provided which are born along the circumference in piston 2". Such a complicated mechanism is quite a contrast from that of the present invention. In any event, the BITSCH patent does not teach the recited combination of features and would not be obvious to be modified to include these features.

Indeed, one must note the different goals and objective of the applied references, their different structural features and that there would be no reason for one of skill in the art to modify these structures to have the features of the presently pending independent claim. To make such a modification would be the application of impermissible hindsight. Accordingly, applicant believes that it is clear that the presently pending independent claim is clearly non-obvious. For this reason, reconsideration and allowance of claim 1 and the claims depending therefrom are respectfully requested.

Further attention is directed to new claims 21-22 which recite means for limiting the passage of the fluid from the main chamber toward the secondary chambers. These further specific

features of the invention are also novel and non-obvious over the prior art, and in particular the applied art. Thus, these claims are believed to be patentable in their own right. New dependent claim 23 recites the damper being able to absorb stresses up to 1000 kN. The ability to absorb up to 1000 kN with the type of structure being recited is also believed non-obvious over the prior art.

Applicant respectfully submits that the present application is in condition for allowance.

If, however, the application should not be deemed to be in condition for allowance, it is requested that the undersigned attorney be contacted to arrange an interview prior to any further Official Action.

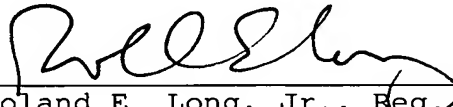
Reconsideration and allowance of all the pending claims are respectfully requested.

In view of the above, applicant believes that the present application is in condition for allowance and an early indication of the same is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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